

815 KAR 20:034. Requirements for approval of continuing education courses and providers.

RELATES TO: KRS 318.054, 318.130

STATUTORY AUTHORITY: KRS 318.130, 318.054

NECESSITY, FUNCTION, AND CONFORMITY: KRS 318.054 authorizes the department, after review by the State Plumbing Code Committee, to adopt continuing education requirements for plumbers. This administrative regulation establishes the process by which providers of continuing education courses are approved and registered with the department and continuing education courses approved.

Section 1. Requirements for Continuing Education Providers. (1) Continuing education providers shall either be a:

- (a) Trade association with affiliation to the plumbing trade;
- (b) Trade school;
- (c) College;
- (d) Technical school;
- (e) Business dedicated solely to providing continuing education and that provides at least one (1) course quarterly within each congressional district;
- (f) Plumbing contracting company that employs full-time training personnel to conduct continuing education programs providing continuing education for journeymen only; or
- (g) Plumbing manufacturer or distributor that employs full-time training personnel to conduct continuing education programs providing continuing education for journeymen only.

(2) Provider Registration. The department shall maintain a list of approved continuing education course providers. An approved provider shall meet the criteria established in Section 2 of this administrative regulation.

(3)(a) Each continuing education course provider shall register with the department as required by subsection (3) of this section before submitting course materials for department approval.

(b) Registration shall be valid for two (2) years from the date of issuance.

(4) Course providers shall register on Form PLB-3 provided by the department and shall include the following:

(a) The company name, mailing address, email address, telephone, and fax numbers of the provider;

(b) Contact person; and

(c) The fee, if any, to be charged to participants.

(5) Each course provider shall report to the department any change to the information submitted in the initial application within thirty (30) days after the change takes effect.

(6) For each course approved the provider shall distribute to each applicant in attendance a questionnaire for the purpose of rating the course.

(a) Questionnaires shall include:

- 1. Name of the course;
- 2. Date the course was taken;
- 3. Questions ranking the quality of the course;
- 4. Questions ranking the quality of the course materials provided; and
- 5. Questions ranking the quality of the instructor.

(b) Completed questionnaires shall be submitted with license renewal applications.

Section 2. Continuing Education Course Approval. (1) A separate application for approval

shall be submitted to the department on Form PLB-4 provided by the department for each course offered by a course provider.

(2) An application for approval of a continuing education course shall be submitted only by approved providers registered with the department. Applications shall be submitted at least thirty (30) days prior to the course offering.

(3) A continuing education course shall provide instruction in at least one (1) of the subject areas specified in Section 3 of this administrative regulation.

(4) The course application shall include the following:

- (a) A course syllabus;
- (b) Name of the course;
- (c) Name and registration number of the provider;
- (d) Name of the instructor or presenter along with his or her qualifications;
- (e) The amount of actual time needed to present the course;
- (f) The objectives of the course; and
- (g) A statement of the practicality of the course to the plumbing trade.

(5) Content changes made to the course shall require subsequent submission to the department for review and approval.

(6) Course approval shall be valid for two (2) years from the date approved by the department.

(7) The office shall issue a course number for each approved course. The course number and the provider's number shall appear on all advertisements and certificates for the course.

(8) Providers shall submit to the department a quarterly schedule including date and locations of courses by January 1, April 1, July 1, and October 1 annually and the department shall be notified at least thirty (30) days prior to a course's offering of changes made to scheduled courses.

(9) Providers may submit additional courses to their quarterly schedule if done at least thirty (30) days prior to the course offerings.

(10) The department shall receive written notification of scheduling changes at least ten (10) working days prior to the originally scheduled course date by fax or e-mail to the Director of Plumbing.

(11) Cancellations.

(a) The provider shall give notice of cancellation no less than five (5) working days prior to a scheduled class unless the Governor declares a state of emergency or other conditions exist that would preclude a five (5) day notification of cancellation;

(b) If the scheduled class is canceled, providers shall, at the option of the registrant, issue a full refund or allow the registrant to attend a rescheduled course;

(c) A registrant who notifies a provider of cancellation prior to five (5) working days of a scheduled course may choose either a full refund or to attend a subsequent course; and

(d) Providers shall not cancel a course with ten (10) or more registrants, unless cancellation is the result of an emergency.

Section 3. Continuing Education Course Content. (1) All courses shall contain information beneficial in the day-to-day operation of a plumbing business.

(2) Courses relating to business shall include one (1) or more of the following:

- (a) Business law;
- (b) Accounting practices; or
- (c) Insurance.

(3) Courses relating to job safety shall directly relate to the construction trade.

(4) Courses related to the Kentucky state plumbing code shall include one (1) or more of the

following:

- (a) KRS Chapter 318;
 - (b) Basic plumbing principles;
 - (c) 815 KAR 20:001 through 815 KAR 20:195;
 - (d) Kentucky Building Code; or
 - (e) Kentucky Residential Code.
- (5) Providers requesting approval of courses for topics not listed in this section shall demonstrate the relevancy of the topic to the plumbing trade.

Section 4. Continuing Education Course Records. (1) Each registered course provider shall establish and maintain for three (3) years the following records for each approved course:

- (a) Certificates of completion as provided in subsection (2) of this section;
 - (b) An attendance sign-in and sign-out sheet; and
 - (c) A course syllabus.
- (2) Certificates of completion.
- (a) Each registered course provider shall issue a certificate of completion for each participant who enrolled and completed an approved continuing education course.
- (b) Certificates of completion shall contain the following information about the individual participant:
- 1. Name;
 - 2. Address;
 - 3. License number or numbers;
 - 4. Date of attendance; and
 - 5. Course or courses completed.
- (c) One (1) copy of each certificate of completion shall be:
- 1. Sent to the department electronically;
 - 2. Retained on file by the provider in compliance with subsection (1) of this section; and
 - 3. Given to the participant upon completion of the course.

Section 5. Online continuing education shall:

- (1) Be provided by a continuing education provider approved in accordance with Section 1 of this administrative regulation;
- (2) Include a minimum of six (6) personal security questions, per course, consisting of:
 - (a) One (1) random security question at each log-in; and
 - (b) Remaining security questions at intervals not to exceed twenty (20) minutes;
- (3) Allow course participants access to the course for a minimum of thirty (30) days following receipt of payment for the course;
- (4) Make available online the course certificate of completion for twelve (12) months to any licensee who completes an online course;
- (5) Retain a record of all course applications and completions for a minimum of three (3) years; and
- (6) Be capable of storing course content questions as follows:
 - (a) Stored content questions shall equal 150 percent of the content questions required; and
 - (b) Duplicate questions shall not be permitted.
- (7) A minimum of four (4) content questions, chosen randomly from stored content questions, shall be answered during each twenty (20) minutes of continuing education programming.
- (8) Notification of correct and incorrect answers, prior to completion of the online course and issuance of a certificate of completion, shall not be permitted.

Section 6. Online Courses. Online courses shall meet all requirements of this administrative regulation and 815 KAR 20:032.

Section 7. Course Audits. (1) Records requested in writing by the department shall be delivered to the department within ten (10) days of the requesting date.

(2) Representatives of the department may, at any time, attend an approved continuing education course to ensure that the course meets the stated objectives and that applicable requirements are being met.

Section 8. Disciplinary Action. The department may deny, suspend, or revoke approval of any course provider or may issue a fine to any course provider who:

(1) Obtains or attempts to obtain registration or course approval through fraud, false statements, or misrepresentation;

(2) Does not provide complete and accurate information in either the initial registration or in any notification of changes to the information;

(3) Advertises a course as being approved by the department before the approval is received; or

(4) Fails to comply with the requirements of this administrative regulation.

Section 9. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) Form PLB-3, "Application for Approval as a Plumbing Continuing Education Course Provider", November 2010; and

(b) Form PLB-4, "Application for a Plumbing Continuing Education Course Approval", November 2010.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, Division of Plumbing, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5405, Monday through Friday, 8 a.m. to 4:30 p.m. (34 Ky.R. 1331; 1749; eff. 2-1-2008; 37 Ky.R. 1568; 2017; eff. 3-4-2011; 39 Ky.R. 325; eff. 11-2-12; 39 Ky.R. 2208; 40 Ky.R. 297; eff. 9-6-2013.)